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DE RUEHSB #0040 0141423
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FM AMEMBASSY HARARE
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3924
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEHAR/AMEMBASSY ACCRA 2550
RUEHDS/AMEMBASSY ADDIS ABABA 2672
RUEHRL/AMEMBASSY BERLIN 1165
RUEHBY/AMEMBASSY CANBERRA 1941
RUEHDK/AMEMBASSY DAKAR 2296
RUEHKM/AMEMBASSY KAMPALA 2721
RUEHNR/AMEMBASSY NAIROBI 5149
RUEAIIA/CIA WASHDC
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK
RHMFISS/EUCOM POLAD VAIHINGEN GE
RHEFDIA/DIA WASHDC
RUEHGV/USMISSION GENEVA 1832
RHEHAAA/NSC WASHDC

C O N F I D E N T I A L HARARE 000040

SIPDIS

AF/S FOR B. WALCH
DRL FOR N. WILETT
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS
STATE PASS TO USAID FOR E. LOKEN AND L. DOBBINS
STATE PASS TO NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN

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TAGS: [PGOV](#) [ASEC](#) [PHUM](#) [PREL](#) [ZI](#)
SUBJECT: MDC PARLIAMENTARIAN PUSHED OUT BY JUDGE

Classified By: Ambassador James D. McGee for reason 1.4 (d)

SUMMARY

¶1. (SBU) A Zimbabwean judge disqualified an MDC member of parliament after convicting her of forging signatures nominating her to run in the March 2008 parliamentary elections. Lynette Karenyi was convicted by Magistrate Billard Musakwa of forging four signatures nominating her to contest the Chimanimani West seat she won by beating out ZANU-PF candidate Munacho Mutezo. END SUMMARY.

¶2. (U) Magistrate Musakwa convicted Karenyi of violating the Zimbabwean Electoral Act by forging nominating signatures. Under the terms of the Act, the conviction nullifies her election. According to the state-controlled media, her disqualification will be effective immediately.

¶3. (SBU) After the parliamentary elections held in March 2008, the Tsvangirai faction of the MDC held 100 seats to ZANU-PF's 99 seats; the MDC-M faction won ten seats and there was one independent allied to ZANU-PF. Consequently, should each party retain their vacant seats in parliament through either by-elections or implementation of the September 2008 power-sharing agreement, a vacancy in the Chimanimani West constituency would wipe out the MDC-T's plurality. (NOTE: There are currently four vacant seats in the House of Assembly. Three were vacated by the deaths of ZANU-PF MPs, and the other was vacated by the elevation of Lovemore Moyo to the position of Speaker of the House of Assembly. END NOTE.)

¶4. (C) MDC-T spokesperson Nelson Chamisa told us that the MDC believes the charges to be trumped up. It plans to appeal the conviction to the High Court, and in contradiction with the report in the state-controlled media, Chamisa said that Karenyi would be legally entitled to remain in her seat pending a final High Court ruling. Chamisa also explained that the Chimanimani West constituency was an MDC stronghold

which the MDC could be expected to win in a fair election; he acknowledged, however, that potential ZANU-PF rigging could make the seat problematic. (NOTE: In the March elections, Karenzi won 55 percent of the constituency votes after which ZANU-PF made a failed attempt to force a reversal of results through a recount. END NOTE.)

COMMENT

15. (C) The effect of the loss of an MDC-T seat in Parliament would be symbolically significant. While the support of the majority of Mutambara faction MPs would still hamstring ZANU-PF objectives in Parliament, the MDC-T could no longer claim a plurality. Moreover, it increases the risk that defection by a number of MDC-M parliamentarians could hand ZANU-PF an edge. END COMMENT.

MCCEE